

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

.....X  
BLOCKCHAIN MINING SUPPLY AND  
SERVICES LTD.,

Case No. 18-CV-11099-ALC

Plaintiff,

-against-

SUPER CRYPTO MINING, INC. (N/K/A DIGITAL  
FARMS, INC. and DPW HOLDINGS, INC.  
(N/K/A AULT AULLIANCE, INC.),

Defendants.  
.....X

**SUPPLEMENTAL  
DECLARATION OF  
ROBERT B. VOLYNSKY**

I, Robert B. Volynsky, declare as follows:

1. I am an attorney in good standing admitted to practice in the State of New York and before the bar of this Court and a partner at Wetz Kakos Gerbi Wolinetz Volynsky LLP, counsel to Defendants Super Crypto Mining, Inc. (n/ka Digital Farms, Inc.) (“Super Crypto”) and DPW Holdings, Inc. (n/k/a Ault Alliance, Inc.) (“DPW” and with “Super Crypto” collectively, “Defendants”) in the above-captioned action.

2. I make this Declaration in further support of Defendants’ motion for partial summary judgment (the “Motion”) as to both counts of the First Amended Complaint filed by Plaintiff Blockchain Mining Supply and Services Ltd., and to place before the Court documents and information necessary to determine the Motion.

3. I make this declaration based upon my own personal knowledge, as well as a review of the documents that have been produced in this litigation.


4. Attached as Exhibit 54 hereto are true and correct excerpts of the transcript for the deposition of William Tencer (hereinafter, the “Tencer Deposition”), which was taken by counsel for Defendants on January 10, 2023 in this litigation.

5. Attached as Exhibit 55 hereto is a true and correct copy of Exhibit 8 from the Tencer Deposition, which is a true and correct copy of Plaintiff's initial Responses and Objections to Defendant's Second Set of Requests for Admission to Plaintiff, dated December 3, 2022.

6. Attached as Exhibit 56 hereto is a true and correct copy of BMS000750-BMS000755, produced by Plaintiff in this action.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on this 11th day of September, 2023 in Carle Place, New York.



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ROBERT B. VOLYNSKY